IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Crl.Rev.Pet.No. 698 of 2007()

CRA.319/2003 of ADDL. SESSIONS COURT, (ADHOC), PALAKKAD
CC.509/2001 of JUDL.MAGISTRATE OF FIRST CLASS COURT-III, PALAKKAD

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REVISION PETITIONER/APPELLANT/ACCUSED:

OMANA KUTTAN,S/o.A.KESAVA MENON,
E.M.EDAM, AKATHETHARA,(P.O),
PALAKKAD.

BY ADV. SRI.VINOD KUMAR.C

RESPONDENTS/RESPONDENTS/COMPLAINANT:

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1. K.SIVADASAN, S/O. CHANDRAN,
   EDAYAR STREET, KALMANDAPAM,
   PALAKKAD.

2. STATE OF KERALA REP. BY
   PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. C.G.KUMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

CRL.R.P.NO.698 OF 2007

Dated this the 14th day of february, 2007

ORDER

Petitioner stands convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to undergo imprisonment for three months and to pay a compensation of Rs.80,000/- to the complainant under Section 357(3) Cr.P.C. and in default to undergo simple imprisonment for three months.

2. Counsel for the revision petitioner has sought for modification of the sentence and time to make the payment.

In the circumstances sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.80,000/- as ordered by the court below with the default clause. The petitioner is granted two moths time to make the payment. The petitioner shall appear before the Judicial First Class Magistrate Court-III, Palakkad on 16.04.2007 to receive sentence.

K.R.UDAYABHANU,JUDGE

dvs